

REMARKS

In the Office Action of June 22, 2007, claims 1-4, 7, 10, 11 and 14 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent Number 7,068,257 B1 (“Bohn”). In addition, claims 6, 8, 9, 12, 13 and 15 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Bohn in view of U.S. Patent Number 7,131,751 B1 (“Theytaz et al.”). Furthermore, claim 5 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Bohn in view of U.S. Patent Number 3,741,653 (“Svetlinchny”).

In response, Applicants have canceled claims 3 and 4, and have amended the independent claims 1 and 11 to more clearly distinguish the claimed invention from the cited references. As a result, claim 2 has been amended to maintain proper antecedent basis. In addition, claim 15 has been amended to correct minor errors and new claims 16 and 17 have been added. As amended, Applicants respectfully assert that the independent claims 1, 11 and 15 are neither anticipated by the cited reference of Bohn nor obvious over Bohn in view of Theytaz et al., as explained below. In view of the claim amendments and the following remarks, Applicants respectfully request that the amended independent claims 1, 11 and 15, as well as the dependent claims 2, 5-10 and 12-14, 16 and 17, be allowed.

A. Patentability of Amended Independent Claims 1, 11 and 15

As amended, the independent claim 1 recites the limitation of “*the light source alignment features further including a ledge within the guides for controlling the distance the light source is placed along a first optical axis away from the navigation surface,*” which was originally recited in the now canceled dependent claim 4. As explained below, the cited reference of Bohn does not disclose such a limitation. Thus, the amended independent claim 1 is not anticipated by the cited reference of Bohn.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.

Verdegaal Bros. v. Union Oil of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

With respect to the original claim 4, the Office Action on page 3 states that the
5 cited reference of Bohn “teaches the light source alignment features further include a
ledge within the guides for controlling the distance the light source is placed along the
first optical axis away from the navigation surface (fig. 7, item 112).” Thus, the
Office Action has equated the item 112 in Fig. 7 of Bohn as the claimed “ledge within
the guides,” as recited in claim 4. The item 112 in Fig. 7 of Bohn is referred to in
10 column 6, lines 59-65 as a “channel”. In addition, the Office Action on page 3 has
equated the item 102 in Fig. 2 of Bohn as the claimed “guides”. As illustrated in Fig.
7, the channel 112 is clearly not located within the item 102. Thus, the cited reference
of Bohn does not disclose “*a ledge within the guides for controlling the distance the
light source is placed along a first optical axis away from the navigation surface,*” as
15 recited in the amended independent claim 1. Thus, the amended independent claim 1
is not anticipated by the cited reference of Bohn. As such, Applicants respectfully
request that the amended independent claim 1 be allowed.

The above remarks are also applicable to the amended independent claim 11,
20 which recites similar limitations as those of the amended independent claim 1. Thus,
the amended independent claim 11 is also not anticipated by the cited reference of
Bohn. The above remarks are also applicable to the amended independent claim 15,
which recites similar limitations as those of the amended independent claim 1.
Therefore, the independent claim 15 is not obvious in view of the cited references of
25 Bohn and Theytaz et al. As such, Applicants respectfully assert that these amended
independent claims 11 and 15 be allowed as well.

B. Patentability of Dependent Claims 2, 5-10, 12-14, 16 and 17

30 Each of the dependent claims 2, 5-10, 12-14, 16 and 17 depends on one of the
amended independent claims 1 and 11. As such, these dependent claims include all
the limitations of their respective base claims. Therefore, Applicants submit that
these dependent claims are allowable for at least the same reasons as their respective
base claims.

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

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